

EXHIBIT D



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Ex Parte Reexamination Filing Data - September 30, 2005

1. Total requests filed since start of ex parte reexam on 07/01/81 7743

a. By patent owner	3221	42%
b. By other member of public	4357	56%
c. By order of Commissioner	165	2%

2. Number of filings by discipline

a. Chemical Operation	2420	31%
b. Electrical Operation	2457	32%
c. Mechanical Operation	2866	37%

3. Annual Ex Parte Reexam Filings

Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.
1981	78 (3 mos.)	1989	243	1997	376	2005	524
1982	187	1990	297	1998	350		
1983	186	1991	307	1999	385		
1984	189	1992	392	2000	318		
1985	230	1993	359	2001	296		
1986	232	1994	379	2002	272		
1987	240	1995	392	2003	392		
1988	268	1996	418	2004	441		

4. Number known to be in litigation..... 1705 22%

5. Determinations on requests 7510

a. No. granted 6846 91%

(1) By examiner	6740
(2) By Director (on petition)	106

b. No. denied 664 9%

(1) By examiner	629
(2) Order vacated	35

6.	Total examiner denials (includes denials reversed by Director)	735			
a.	Patent owner requester	419	57%		
b.	Third party requester	316	43%		
7.	Overall reexamination pendency (Filing date to certificate issue date)				
a.	Average pendency	21.9 (mos.)			
b.	Median pendency	17.2 (mos.)			
8.	Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiated	Overall
a.	All claims confirmed	23%	29%	13%	26%
b.	All claims cancelled	7%	12%	19%	10%
c.	Claims changes	70%	59%	68%	64%
9.	Total ex parte reexamination certificates issued (1981 - present).....	5209			
a.	Certificates with all claims confirmed	1363	26%		
b.	Certificates with all claims canceled	526	10%		
c.	Certificates with claims changes	3320	64%		
10.	Reexam claim analysis - requester is patent owner or 3rd party; or Comm'r initiated.				
a.	Certificates _ PATENT OWNER REQUESTER	2272			
(1)	All claims confirmed	527	23%		
(2)	All claims canceled	164	7%		
(3)	Claim changes	1581	70%		
b.	Certificates _ 3rd PARTY REQUESTER	2803			
(1)	All claims confirmed	819	29%		
(2)	All claims canceled	332	12%		
(3)	Claim changes	1652	59%		
c.	Certificates _ COMM'R INITIATED REEXAM	134			
(1)	All claims confirmed	17	13%		
(2)	All claims canceled	26	19%		
(3)	Claim changes	91	68%		